

**MINUTES OF THE  
JOINT PUBLIC EDUCATION APPROPRIATIONS SUBCOMMITTEE MEETING  
WEDNESDAY, FEBRUARY 3, 2010, 2:00 P.M.  
Room 445, State Capitol**

Members Present: Sen. Howard A. Stephenson, Co-Chair  
Rep. Merlynn T. Newbold, Co-Chair  
Sen. D. Chris Buttars  
Sen. Karen W. Morgan  
Rep. Tim M. Cosgrove  
Rep. Lorie D. Fowlke  
Rep. Kevin S. Garn  
Rep. Francis D. Gibson  
Rep. Gregory H. Hughes  
Rep. Bradley G. Last  
Rep. Marie H. Poulson  
Rep. Phil Riesen

Members Absent: Sen. Lyle W. Hillyard  
Rep. Rebecca D. Lockhart

Staff Present: Ben Leishman, Legislative Fiscal Analyst  
Patrick Lee, Legislative Fiscal Analyst  
Karen C. Allred, Secretary

Public Speakers Present: Madlyn Runburg, Director of School Programs, Utah Museum of Natural History  
Vickie Ahlstrom, 6th Grade Teacher, Alpine School District  
Stephanie Wood, Science Specialist, Granite School District  
Maria Farrington, Executive Director, iSEE Discovery Gateway  
Todd Hauber, Associate Director, Utah State Office of Education  
Larry Shumway, State Superintendent, Utah State Office of Education  
Tim Leffel, Business Manager, Murray School District  
Steve Peterson, Executive Director, Utah School Board Association, Utah Superintendents Association  
Susan Preator, CEO, Imagine Learning  
Pam Grover, Parent, Representing Carson Smith Scholarship Program  
Laura Anderson, Coordinator, Carson Smith Scholarship Program

A list of visitors and a copy of handouts are filed with the Subcommittee minutes.

Co-Chair Newbold called the meeting to order at 2:16 P.M.

**1. Approval of Minutes**

**MOTION:** Rep. Gibson moved to approve the minutes of the January 27, 2010 meeting.

The motion passed unanimously with Reps. Garn and Last absent for the vote.

## 2. **FY 2011 Budget Review**

**iSEE** -- Analyst Ben Leishman explained the Science Education Outreach Budget Brief in the subcommittee binders. Mr. Leishman explained that the table in Figure 2 is an estimate of allocations by participating organizations based on the appropriation numbers in FY 2009. There is some difference of the distribution of total reductions because the Science RFP was larger than the art RFP.

Rep. Cosgrove asked if the 5% and 8% are combined on the table in figure 2. Mr. Leishman replied that the 8% is the total reduction, the 5% is part of that total.

**iSEE Provider Presentation** -- Madlyn Runburg, Director of School Programs, Utah Museum of Natural History, asked those who came from each of the six organizations to stand and be recognized, and also recognized Stephanie Wood, Vickie Ahlstrom, and Barb Gentry, from Granite, Alpine and Jordan School Districts. iSEE is a group of six highly regarded institutions across the Wasatch Front that work with every elementary school, some middle and high schools across the state. Reductions were made to the program but they were able to minimize impact to students and teacher programs by focusing on three areas: achieving organization operating efficiencies, providing 100% match for every dollar the subcommittee provides, and to grow the opportunities teachers have for professional development.

Rep. Reisen asked what is the proposed cut in the iSEE budget for this year and how is this program going to handle further cuts. Mr. Leishman replied that currently in the base budget bill there is a 2% reduction with an additional 3% allocated, for a total of 5%. Ms. Runburg responded that because funds go directly to educators and supplies, there will be a reduction in REACH to students and teachers.

Vickie Ahlstrom, 6th grade teacher, Alpine District, is the unofficial elementary school science specialist, and the most recent recipient of the Presidential Award for Math and Science in Elementary Schools. Ms. Ahlstrom explained that students are losing a competitive edge in the United States because math and science scores are so low, and we need to get that back. iSEE comes to the district to help teachers teach hard subjects. Teachers can't teach science the way it should be taught without the tools needed.

Stephanie Wood, Granite School District, Science Curriculum Specialist, and a member of the State Science Education Committee, explained that iSEE provides the district with opportunities to see the state core put into application. iSEE organization fills gaps in cut

programs for professional development needs. Using iSEE improves the quality of science teaching, in the classroom, with access to materials and exhibits teachers can't provide.

Rep. Gibson commented that this program does reach out to help provide education for teachers to teach others, and applauds them for their efforts.

Sen. Stephenson asked about the Discovery Gateway personnel changes and what happened to cause personnel to leave mid year.

Maria Farrington, Executive Director, iSEE Discovery Gateway responded that in the 4th part of the year there were resignations of some of the teachers. Because there was not advanced notice of these resignations, about 15 schools were impacted resulting in Gateway cancelling visits. Visits have been rescheduled and will occur this year.

Co-Chair Stephenson is concerned about the quality of this program now, and why the change in staff. He understood that staff left because they felt new management were not handling things correctly, and wants to make sure, before giving funding, that the quality of the program is there for the 5th grade Outreach Program. Ms. Farrington responded that the quality has been very positive. The non profit organizations are in a reset mode and the iSEE program has continued a quality program and have assured 100% of all teachers in the program have a degree in Science Education. More schools have been scheduled than were scheduled last year. Gateway contracted with a third party to survey teachers, and have had very positive results from the survey. Co-Chair Stephenson asked for more indepth analysis before the next meeting.

Mr. Leishman explained that at the request of Co-Chair Stephenson, he looked extensively with Ms. Farrington at the issues happening in the program. The Utah State Office of Education Curriculum office did a review and evaluated the program and said that with proper training Discovery Gateway can deliver a quality program. Gateway will be monitored throughout the year to make sure it is a quality program. The Legislature does not directly appropriate funds to these organizations, it is contracted through the State Board of Education. The problem came down to management disagreements with employees.

Ms. Runburg distributed handouts from two institutions that could not be at the meeting.

**Utah State Office of Education (USOE) Line items** -- Patrick Lee explained the Utah State Office of Education (USOE) budget brief in the binders. The USOE functions as a support to the State Board of Education and the State Superintendent of Public Instruction. A funding mix of state, federal, and other dollars go through the USOE, a large portion of federal funds being passthrough funds. The USOE was appropriated a reduction of 20.4% from the FY 2009 original budget, for FY 2010. The Analyst recommendation is to

discontinue State Subsidy for Local Service Provision in Regional Service Centers. Recently the USOE assumed direction of the Elementary Math and Science Core Academy which will need the subcommittee to approve intent language for fees.

Co-Chair Newbold asked what is the current cost per applicant and who are the applicants? Todd Hauber, Associate Superintendent, USOE replied that the fee structure has been declining over the past 3 years, and feel it can currently function with a \$50 registration fee. Applicants are teachers who pay for math and science training.

Mr. Lee continued that this brief has a budget detail table separated by line item created for legislative initiative programs broken out during the 2009 General Session. The Analyst recommends an across the board reduction of programs. A \$2.7 million one-time funding for English Language Learner Software Licenses, will not continue without an additional one-time or ongoing appropriation.

Sen. Morgan asked if the 2% cut in budget detail table is the 98%. Mr. Lee responded yes it is and will possibly be reduced 3% more to reach the 5%.

**USOE Initiative Programs** -- Larry Shumway, Superintendent, Utah State Office of Education (USOE) distributed a handout and explained that the USOE serves as support for the State Board of Education and the State Superintendent in exercising their constitutional responsibilities for general control and supervision of public schools. It is important to note, that the entire federal fund allocation listed in the budget is for Special Education and from there it all flows out to school districts. Only a very specific federally required amount is held for administration as it flows out to school districts.

Co-Chair Newbold commented that the budget total is the same as the year before, and asked if the USOE anticipates receiving additional federal funds. Superintendent Shumway responded that they hope to be receiving funds they have applied for, in April, and it will all be one-time funds.

Superintendent Shumway continued that of the \$20 million of the Uniform School Funds, \$10 million are the USOE office funds. The USOE has the lowest administrative overhead in the country, has a strong belief in state and local control, and rely heavily on local Boards of Education. The State Board takes seriously its constitutional responsibility to exercise management functions to ensure school districts operate according to guidelines established, to ensure the operations of schools are efficient and effective, and it is the USOE budget that does that.

Sen. Morgan asked for clarification on the budget detail table under Programs on page 3, what programs are under Law Legislation, and what is under Student Achievement. Mr. Hauber replied that Student Achievement is Title I, Special Education, and other types of federally funded programs that flow through the USOE and go to the districts. In the

handout distributed by the USOE, page 27 lists the specific programs administered under Law, Legislation and Education Services. Also page 1, 3 and 15 list the programs in detail. Mr. Lee responded that Categories of Expenditures on the budget brief, are other charges that pass through to districts and charters.

Rep. Cosgrove asked for clarification on the number of administrators per student, what determines whether an administrator is cut instead of a teacher, and why, in some school districts administrators did not have to take a day of furlough. Superintendent Shumway responded that a significant portion of the administrator to teacher ratio decision is left to the local school board, who need to make sure teachers have enough administrative support for students and supervision to manage employees. Utah has very low administrative costs, and some parts of the system are undermanaged or under supervised. Superintendent Shumway said furloughs were given careful consideration because of employee morale, and his understanding is that when the teachers were furloughed, the administration was also furloughed.

Tim Leffel, Business Administrator, Murray School District commented that in some cases administrators may not of had a furlough because the majority of the cut was in the Quality Teaching Block Grant, which is extra days given to teachers, but not administrators or classified employees. Mr. Lefel responded that in Murray School District there are only 8 administrators in the district office and one per school, plus an assistant in one school.

Rep. Newbold responded that the Quality Teaching Block Grant gave school districts flexibility to move funds around. Different school districts handled cuts differently than other school districts. Superintendent Shumway expressed respect for the decisions of school districts and local boards of education when they act within the law.

Rep. Gibson asked for clarification on the \$250 million that come from federal sources referenced earlier, and how are these programs measured for effectiveness. He asked specifically the effectiveness of the Imagine Learning program. Superintendent Shumway replied that "Race to the Top" are the funds that were referenced which they have applied for and hope to get. Federal funds legislated and operated, are distributed through the USOE budget and performance audits are done on these programs. The Imagine Learning program results were extraordinary in one school that Superintendent Shumway visited. It is a program funded with one-time money, and the contract extends into next November. If the program is to continue,

funding will need to be allocated. Mr. Hauber added that \$2.7 million that was allocated for the Imagine Learning Program has reached a significant amount of people and has been a good program.

Rep. Cosgrove asked about the fact that growth for adult education has increased 19%. He assumes it is because people are out of work and wanting further education, and he asked if

it is available online. Superintendent Shumway assumes it is growing because of the economy and people wanting to improve skills. The State Board of Education budget recommendation did not include an increase for adult education, because of the economic circumstances. Budget recommendations were made trying to balance the needs across the system. Rep. Cosgrove commented that during these difficult economic times, there are still increases in need and choices have to be made. Superintendent Shumway responded that the choices made are difficult choices.

Co-Chair Newbold asked if there is additional information on the Initiative Programs. Mr. Hauber replied that they have no more information and that the detail information on the initiative programs is in the handout distributed to the subcommittee.

**Educator Licensing** -- Analyst Patrick Lee explained that there is intent language needed on the Internal Service Fund close out and the Carson Smith Special Needs Scholarship Program that the Legislature must approve. It is also imperative that balances are approved every year.

**MOTION:** Sen. Morgan moved to adopt the intent language on the two recommendations of the Analyst, the Internal Service Fund close out, and the Carson Smith Special Needs Scholarship Program.

Rep. Cosgrove asked for a written copy, which Mr. Lee said he would provide for him.

The motion passed unanimously with Reps. Fowlke, Last, and Poulson absent for the vote.

Mr. Lee continued that the Indirect Cost Pool is now the only Internal Service Fund at the USOE and operates by taking a portion of all federal and state funds that pass through this office. Each year the Legislature must approve the rates.

Mr. Lee explained that the third budget brief dealing with Educator Licensing is the fee schedule which is the major item and will need approval by the subcommittee. Through the Educator Licensing and Professional Practices Act, the Legislature established a method of charging licensing fees to ensure that educators meet and maintain high standards. The plan for FY 2011 is contained in this budget brief and was explained by Mr. Lee. There are no changes in the licensing fees, and there have not been changes since FY 2008. The fee schedule plan will need to be adopted by the Legislature.

**Child Nutrition Programs** -- Mr. Lee explained the Budget Brief on the Child Nutrition Programs which represent a series of federal assistance programs designed to provide nutritious meals, develop nutritional awareness among the students, and offer reduced or free lunch meals. The Analyst recommends that there be no further reductions to the state funds for this program.

**Education Contracts** -- Mr. Lee explained that Education Contracts provides funding for the education of students in state custody at the youth center and corrections institutions. The appropriation is made up entirely of Uniform School Funds. The Analyst recommends the subcommittee approve the F 2011 base budget shown in the budget detail table.

Rep. Newbold asked if licensing fees cover the cost of licensing. Superintendent Shumway replied that fees were raised slightly high two years ago, in hopes that they won't have to be raised every year. The USOE does not support licensing of out of state funds.

#### 4. Public Comment

Steve Peterson, Executive Director, Utah School Board Association, asked for clarification on Regional Service Centers and if the centers will be discontinued. Mr. Lee responded that currently there is \$1.3 million funds that go to Regional Service Centers and a reduction was recommended due to increase of funds that have flowed from the administrative cost formula which presented an option for the 5% cut. Mr. Peterson said that the service centers are the life blood of rural schools and hopes we can keep it in tact as much as possible.

Susan Preator, CEO, Imagine Learning, distributed a handout to the committee concerning the English Language Learner Program (ELL) and explained that Imagine Learning currently has 26,452 students in the state using the program, and continue to add students daily. This program has been very effective. Each student receives a 30 minute individualized instruction every day, from a qualified tutor. Data is tracked, and can show exactly where money is spent.

Rep. Hughes commented that this is a great program. The classroom looks like the United Nations, which are the very classes that teachers face. Rep. Hughes expressed appreciation for this program and stated that this program has a great impact and hopes it is a model that can be taken outside of the state of Utah.

Co-Chair Stephenson expressed appreciation for this program. He has visited schools and witnessed children learning English so much faster and changing their lives forever. He is very impressed by teachers and principals in those schools and would like to ensure that this is ongoing, not year to year.

**MOTION:** Sen. Butters moved that it is the intent of this subcommittee that the Imagine Learning program receive full ongoing funding of \$3 million.

Sen. Morgan asked for clarification on ongoing appropriation for the Imagine Learning Program and asked if the \$3 million were restored, where would the money come from. Mr. Leishman responded that the original appropriation was \$3 million, and has been reduced to \$2.7 million appropriated in FY 2010 as a one time amount. Ms. Preator responded that reductions were taken last year, and the program continues to add students and can't

continue to take cuts. She would ask to restore the \$3 million. Sen. Buttars replied that he will respond to where the funds could come from on Monday.

Co-Chair Stephenson agrees with the motion and proposed that the chairs work with staff if this motion passes.

Co-Chair Newbold reminded the subcommittee members that a recommendation be made from each committee member by Monday.

Rep. Cosgove expressed concerns for the motion, that it is hard to determine this as a priority.

**SUBSTITUTE MOTION:** Rep. Hughes moved that the subcommittee commit to fund ongoing the ELL Software Licensing Program.

Sen. Buttars agrees with this substitutes motion and that this program needs to be pressed and needs to pass.

Sen. Morgan commented that the substitute motion is an improvement, but is premature. A single program shouldn't be singled out today. Mr. Leishman responded that all other initiative programs have ongoing funds with no clauses that they run out, except this one.

Rep. Fowlke commented that she understand that the subcommittee is looking at the picture as a whole, and not bind ourselves to a course of action.

Rep. Gibson commented that the importance of funding this ongoing is unquestionable, especially when other programs have ongoing funding.

Rep. Hughes commented that the substitute motion is more general for the reason of the above concerns.

The motion passed with Sens. Stephenson, Buttars and Morgan, and Reps. Newbold, Fowlke, Gibson, Hughes, Poulson and Riesen voting in favor; Rep. Cosgove voting in opposition, and Reps. Garn and Last absent for the vote.

Pam Grover, mother of a 10 year old with autism, expressed appreciation for funding the Carson Smith Scholarship Program, and asked the committee to please continue to fund this program.

Laura Anderson, Out reach Coordinator, expressed appreciation for the Carson Smith Scholarship, and expressed how much this scholarship has served her son. As the Outreach Coordinator, she is the one families call for information, and she receives daily calls about



this scholarship. This program is known nationally and our state is an example to other states. She was asked to send Cheryl Smith's appreciation also, and to mention the ASSERT program. She distributed handouts on both of these programs.

Sen. Buttars noted that Co-Chair Newbold is responsible for initiating the Carson Smith Scholarship program.

## **5. Other Business**

Mr. Leishman clarified that a number in the iSEE budget reduction information mentioned earlier in this meeting was incorrect. The cumulative percent reduction is 13% from the original FY 2009 appropriation and not the 8% he mentioned earlier.

Co-Chair Stephenson clarified the problems of Discovery Gateway and the quality of the program discussed earlier. The appropriate people to evaluate this program are those from the USOE and he wants to make sure that this office is the one that reports information to the subcommittee. He expressed respect for overseeing those contacts, and will wait for a report from them on the quality.

Co-Chair Newbold asked if Superintendent Shumway would give the subcommittee information on the programs the districts felt were most important when they have to make reductions. Superintendent Shumway responded that he will bring that information to the next meeting.

**MOTION:** Rep. Reisen moved to adjourn.

The motion passed unanimously with Reps. Garn and Last absent for the vote.

Co-Chair Newbold adjourned the meeting at 4:25 P.M.

Minutes were reported by Karen C. Allred, Senate Secretary

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Sen. Howard A. Stephenson, Co-Chair

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Rep. Merlynn T. Newbold, Co-Chair